GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – AHDD&F Department – Fisheries Department – ACB Trap case filed against Sri Sk. Kalesha, FDO (Retd), SPSR Nellore District – Prosecution issued – Acquitted by the Spl., Court for SPE & ACB cases, Nellore - Retired from service on attaining the age of superannuation on 30.09.2020 – Orders dt:01.05.2023 of the Hon;ble High Court of AP in WP No.4845/2023 – Implemented – Pensionary benefits sanctioned - Orders – Issued.

ANIMAL HUSBANDRY, DAIRY DEV & FISHERIES (DY & VIG) DEPARTMENT

G.O.Rt.No.334 Dated:10.11.2023

Read the following:

1.From the DG, ABB, RC No.53/RCT-NNL/2009, dt:17.07.2010.
2.G.O.Rt.No.57, AHDD&F (Dy & Vig) Dept., dt:08.09.2010.
3.Orders dt:01.04.2013 of the Spl., Court for SPE & ACB cases, Nellore in CC No.04/2011.
4.GO Rt No. 14, AHDD&F(Dy.&Vig.) Dt. 17.01.2022.
5. Orders dt:01.05.2023 of the Hon'ble H.C in WP No.4845/2023.

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ORDER:

Whereas, vide reference 1st read above, while forwarding the final report dt:17.07.2010, the DG, ACB, Vijayawada has informed that Sri Shaik Kalesha, Fisheries Development Officer, (Retd.) was trapped by the ACB on 02.03.2009 while accepting the bribe amount of Rs. 2000/- from Sri Kommaru Nageswara Rao, Vidavalur Mandal, Nellore District and recommended for prosecution besides initiating departmental action against the individual. In respect of Departmental action, the Commissioner of Fisheries, AP., Vijayawada has imposed the punishment of "stoppage of three (3) annual grade increments with cumulative effect".

2. Whereas vide reference 2nd read above, Prosecution orders issued against Sri Shaik Kalesha, Fisheries Development Officer, (Retd.). Vide reference 3rd read above, the Spl. Court for SPE & ACB cases, Nellore has acquitted Shaik Kalesha, FDO(Retd.) On the acquittal Judgment of the trail court, criminal appeal No. 851/2013 has been filed before the Hon'ble High Court and the same is pending for adjudication.

(P.T.O)

3. On attaining the age of superannuation, provisional pension to an extent of 75% of the normal eligible pension was sanctioned to Shaik Kalesha, FDO(Retd.) vide reference 4th read above.

4. Meanwhile, Sri Shaik Kalesha, FDO(Retd.) has filed WP No. 4845 of 2023 in the Hon'ble High Court of AP and requested to release all the pensionary benefits alongwith interest. The Hon'ble High Court vide reference 5th read above passed the following orders:

> ....."The respondents are directed to release all the retiral benefits to which the petitioner is entitled as expeditiously as possible preferably within a period of six (6) weeks from the date of receipt of a copy of this order. The petitioner is entitled to interest @ 10% w.e.f the date of his retirement i.e, from 30.09.2020 to till the date of payment. There shall be no order as to costs".

5. Government, after careful examination of the matter, and in compliance and due respect to the orders dated:01.05.2023 of the Hon'ble High Court of AP in WP No. 4845 of 2023, hereby release all the pensionery benefits to Sri Shaik Kalesha, FDO(Retd.) with interest @ on GPF in vogue from the date of his retirement and also pay the interest on the remaining 25% of pension @ on GPF, subject to outcome of the Writ Appeal to be filed before the Hon'ble High court of Andhra Pradesh and also to the outcome of pending criminal appeal No. 851/2013 filed by the ACB in the Hon'ble H.C against the Orders dt:01.04.2013 of the Spl., Court for SPE & ACB cases, Nellore in CC No.04/2011.

6. The Commissioner of Fisheries, Andhra Pradesh, Vijaywada shall take necessary action in the matter, accordingly.

7. This order issues with the concurrence of the Finance (HR.III-Pension-GPF) Department vide their U.O.Note No.FIN01-HROMISC/124/2021-HR-III (Computer No.1573829)

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF THE ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Shaik Kalesha, FDO(Retd.), through the Commissioner of Fisheries, AP, Vijayawada.
The Commissioner of Fisheries, AP, Vijayawada.
Copy to
The Director General, Anti Corruption Bureau, AP, Vijayawada.

(Conti....P.3)

The Accountant General, AP, Vijayawada.
The Director of Treasuries and Accounts, AP, Vijayawada.
The Government Pleader of Services – I, AP High Court, Amaravati.
SF/Sc. (Computer No.1420374)

//forwarded :: by order//

SECTION OFFICER